

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (currently amended): A method for depositing a semiconductor layer, which is a selective deposition wherein after a mask having an opening is formed by using a material including an element which makes a semiconductor layer into a first conductivity type, at least one semiconductor layer of a second conductivity type is selectively grown in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed, a portion of constituent elements of said material of said mask being the same as a portion of constituent elements of said semiconductor layer, and said second conductivity type being different from said first conductivity type.

2. (Original) A method for depositing a semiconductor layer, claimed in Claim 1 wherein said semiconductor layer is a nitride-based semiconductor layer, and wherein the method is a selective deposition in which after a mask having an opening is formed by using a material including an element which makes said nitride-based semiconductor layer into a first conductivity type, at least one nitride-based semiconductor layer of a second conductivity type is selectively grown in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed, a portion of constituent elements of said material of said mask being the same as a portion of constituent elements of said nitride-based semiconductor layer.

3. (Original) A method for depositing a semiconductor layer, claimed in Claim 2 wherein after a mask having an opening is formed by using a material including an element which makes said nitride-based semiconductor layer into an n type, at least one p-type nitride-based semiconductor layer is selectively grown in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed, said material of said mask including nitrogen.

4. (Original) A method for depositing a semiconductor layer, claimed in Claim 2 wherein after a mask having an opening is formed by using a material including an element which makes said nitride-based semiconductor layer into an n type, at least one p-type nitride-based semiconductor layer is selectively grown in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed, said material of said mask being silicon nitride.

5. - 8. (Canceled)

9. (Original) A method for fabricating a nitride-based semiconductor light emitting device, including forming, on an underlying nitride-based semiconductor layer, a mask ~~by of~~ a material including nitrogen as a constituent element, and then selectively crystal-growing at least one nitride-based semiconductor layer in an opening of said mask, so as to form at least one of a current narrowing structure and a structure confining a light in a horizontal direction in parallel to a substrate.

10. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 9 wherein said material including nitrogen as the constituent element is silicon nitride.

11. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 10 wherein the coverage of said mask is not greater than 50%.

12. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 9, including the step of forming on the substrate at least one layer including at least a nitride-based semiconductor layer of a first conductivity type, at least one nitride-based semiconductor layer including at least an active layer, and at least one nitride-based semiconductor layer including at least a semiconductor layer of a second conductivity type, the step of forming a mask having a stripe-shaped opening by a material including nitrogen as a constituent element, and the step of forming, in the opening of said mask, at least one nitride-based semiconductor layer including at least a nitride-based semiconductor layer of the second conductivity type.

13. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 12 wherein said material including nitrogen as the constituent element is silicon nitride.

14. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 13 wherein the coverage of said mask is not greater than 50%.

15. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 9, including the step of forming on the substrate at least one layer including at least a nitride-based semiconductor layer of a first conductivity type, at least one nitride-based semiconductor layer including at least an active layer, and at least one nitride-based semiconductor layer including at least a nitride-based semiconductor layer of a second conductivity type, the step of forming a mask having a stripe-shaped opening by a material including nitrogen as a constituent element, and the step of selectively crystal-growing, in the opening of said mask, at least one nitride-based semiconductor layer including at least a nitride-based semiconductor layer of the second conductivity type, so as to form at least one of the current narrowing structure and the structure confining a light in a horizontal direction in parallel to a substrate.

16. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 15 wherein said material including nitrogen as the constituent element is silicon nitride.

17. (Original) A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 16 wherein the coverage of said mask is not greater than 50%.

18. - 26. (Canceled)